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Attorney Docket No.: **55071-311**
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Duan-Fu Stephen HSU, et al. : Customer No.20277
Serial No.: 10/705,231 : Confirmation No.: 3609
Filed: November 12, 2003 : Group Art Unit: 1756
For: METHOD AND APPARATUS FOR PERFORMING MODEL-BASED : Examiner: STEPHEN D. ROSASCO
LAYOUT CONVERSION FOR USE WITH DIPOLE ILLUMINATION :

ELECTION UNDER 35 U.S.C. § 121

Mail Stop Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed September 28, 2005, having a shortened statutory period for response set to expire October 28, 2005, wherein the Examiner required restriction between the following Groups:

- Group I - Claims 1-12 and 19-24, drawn to a mask; and
- Group II - Claims 13-18, drawn to a method of using masks to print a pattern using dipole illumination.

Applicants elect Group I, claims 1-12 and 19-24, for initial prosecution on the merits. Applicants also reserve the right to file a Divisional Application for the non-elected claims 13-18, which the Examiner has indicated is patentably distinct.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition for extension of time. The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0417. A duplicate copy of this Response is enclosed for accounting purposes.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Date: 10/28/05

By: 
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